

## Message

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**From:** Cuje, Jace [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6D83B70AA3B646B49E7E383A69442F22-CUJE, JACE]  
**Sent:** 7/12/2016 8:26:38 PM  
**To:** Cybulski, Walter [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bd603b96ddf54942b3a7088e849e114e-Cybulski, Walter]; McQueen, Jacqueline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3a023f4d48ee4e1f8b758fa87310f703-McQueen, Jackie]; Fleming, Megan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=14b4c2e10bf84f1fa9a3f91f5ca1c4c0-Fleming, Megan]; Fegley, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=790aa5a70d9045bda631d9d6e548d704-Fegley, Robert]; Flowers, Lynn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1a4411c874d041b9a8badfc32b91bd70-Flowers, Lynn]; Smith, Kelley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=83492f2021db4de0ab4ebcfafce7b12c-Smith, Kelley]  
**Subject:** Land Team Newsapalooza: 7/8/16 - 7/12/16

All – Good afternoon/evening.

Land news stories for the past few days. Don't believe any of these need to be passed up the chain, but feel free to forward, as appropriate.

Thanks in advance. ~~~ Jace

### TSCA Reform

- ['Concerns' On House Jurisdiction Blocked Green Chemistry From TSCA Law](#) The final Toxic Substances Control Act (TSCA) reform law lacks much-lauded language to boost federal support for green chemistry efforts after the provision fell victim to “concerns” in the House that it would require input from another committee and could derail efforts to reach a compromise Congress would approve, says a congressional staffer.
- Use the [InsideEPA TSCA Tracker](#) to access latest breaking news stories on the TSCA reform and how EPA will implement it.

### Fracking

- [Study: Faulty Wells, Not Fracking, Caused Methane Contamination](#)  
Wellbore failure, not high-volume hydraulic fracturing using horizontal drilling, was the main cause of industry-related methane gas contamination found in water wells in a major oil and gas producing region northeast of Denver, the National Academy of Sciences reports. Of 924 sampled water wells in the 23,000-square mile Denver-Julesburg Basin region of northeastern Colorado, dissolved methane was detected in 593 wells at shallow depths of about 60 to 600 feet deep. Most of this methane was naturally generated biogenic gas, likely within shallow coal seams, the [study](#) said. A total of 42 water wells contained thermogenic “stray” gas originating from underlying oil and gas producing formations. Inadequate surface casing and leaks in production casing and wellhead seals in older, vertical wells were identified as the sources of the stray gas in those wells, the study said. The rate of oil and natural gas wellbore failure was estimated as 0.06 percent of the roughly 54,000 wells in the basin and has remained steady at about two cases per year since 2001.
- [German Parliament Votes to Ban Fracking](#)  
A bill that would ban virtually all hydraulic fracturing for oil and gas in Germany was passed July 8 by the upper house of the German Parliament, the Bundesrat.

### PFOA/PFAS

- [House GOP Probes EPA, New York On PFOA Responses](#)

House oversight panel Republicans are alleging that EPA and the state of New York delayed taking action to warn residents of a New York community about unsafe levels of the emerging contaminant perfluorooctanoic acid (PFOA) in their drinking water, probing EPA and the state for records on its responses to the matter. In [July 6 letters](#) to EPA Administrator Gina McCarthy and New York Gov. Andrew Cuomo (D), House Oversight & Government Reform Committee Chairman Jason Chaffetz (R-UT) and interior panel Chairman Cynthia Lummis (R-WY) query whether the state went even further and gave misleading information to residents of Hoosick Falls, NY, indicating that their drinking water posed no health risks, contrary to test results.

- **N.Y. Plans Hearings on PFOA Contamination**

Both houses of the New York State Legislature will hold hearings in the next two months on the state's response to local water contamination with perfluorooctanoic acid (PFOA), adding another level of scrutiny to how the administration of Gov. Andrew M. Cuomo (D) has handled the issue.

#### Pesticides: EU Panel Agrees on Glyphosate Use Limitations

A European Union regulatory committee July 11 set conditions on the use in the bloc of pesticide products based on the widely used herbicide glyphosate. Under the implementing regulation, when EU member countries grant authorizations for products that contain glyphosate, they must limit the use of the substance in areas such as public parks and playgrounds and should “pay particular attention to the protection of the groundwater in vulnerable areas.” The regulation also requires countries to limit the pre-harvest use of glyphosate and bans the use of tallow amine as a co-formulant in glyphosate-based products. Tallow amine is thought to have reprotoxic effects.

#### Pesticide Sector Seeks One-Year Delay For Possible EPA Chlorpyrifos Ban

Pesticide producers are trying to intervene in advocates' lawsuit seeking a ban on the commonly-used insecticide chlorpyrifos, backing EPA's claim that it needs more time to review scientific data on the chemical before deciding on a ban but arguing the agency's six-month review estimate is inadequate and that it will need at least a year.

#### GOP Asks Obama To Drop CWA Pesticide Permit Veto Threat

Congressional Republicans are urging President Obama to drop a veto threat on a measure that would suspend Clean Water Act (CWA) permitting mandates for pesticide spraying, arguing in a new letter that the measures are necessary to combat mosquito populations that could soon spread the Zika virus on the U.S. mainland.

Advocates Make Recommendations To EPA On Financial Assurance Rule should direct you to an *Earthworks* publication pertaining to CERCLA 108(b) entitled “Making Polluters Pay: How EPA can ensure mining companies, not taxpayers, pay for mine clean-up” (JULY 2016)

#### RCRA and Retailers: The Perils of Hazardous Waste in Reverse Distribution Chains [NOTE: Potentially relevant to HW Pharms and HW Mgt. in the Retail Sector.]

Handling potentially hazardous waste from returned products can pose unique challenges for retailers under the Resource Conservation and Recovery Act. In this Bloomberg BNA Insights, Wiley Rein's Joseph S. Kakesh and P. Nicholas Peterson examine the EPA's guidance on handling potentially hazardous wastes and trends in the agency's use of its RCRA enforcement powers.

#### SUPERFUND: Panel to probe effectiveness of cleanups

A House Energy and Commerce subcommittee will hold an oversight hearing on the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, which created the popular Superfund program. This is the first broad hearing in recent years on Superfund as a whole. It's the U.S. EPA initiative signed into law by President Carter establishing the federal cleanup of hazardous sites that have been contaminated by spill, pollution or natural disaster. The hearing, hosted by the Environment and the Economy Subcommittee, comes in light of a Government Accountability Office report eight months ago finding that the program can't start cleanups at one-third of nonfederal sites because it doesn't get enough funding ([Greenwire](#), Oct. 27, 2015).

#### COAL ASH: Groups fault TVA management plans for dumps in 3 states

Environmental groups have teamed up for a last-ditch critique of the Tennessee Valley Authority's plans for leaving large amounts of coal ash in place near power plants in Alabama, Tennessee and Kentucky. The release of TVA's final environmental impact statement (EIS) last month "has only deepened our concern about potential groundwater and surface water impacts at these sites and the resulting risks to public health and the environment," the Southern Environmental Law Center and nine other organizations said in lengthy comments released today.

#### Weathered oil from DW Horizon spill may threaten fish embryos and larvae development

A research team led by scientists at the University of California, Riverside and the University of Miami (UM) Rosenstiel School of Marine and Atmospheric Science have found that ultraviolet light is changing the structure of the Deepwater Horizon (DWH) oil components into something more toxic, further threatening numerous commercially and ecologically important fishes. The DWH oil spill, in which more than three million barrels of crude oil got released in 2010 into the northern Gulf of Mexico, is the worst oil disaster in US history, contaminating the spawning habitats for many fishes.